Douglas E. Gershuny, Executive Director South Jersey Legal Services, Inc. 745 Market Street Camden, New Jersey 08102 (856)964-2010 Ext. 6907 By: Abigail B. Sullivan, Esq. Attorneys for Defendants/Third Party Plaintiffs, Victor & Enoabasi Ukpe

UNITED STATES DISTRICT COURT **DISTRICT OF NEW JERSEY CAMDEN VICINAGE**

BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS CWABS, INC. ASSET-BACKED CERTIFICATES, SERIES 2005-AB3

Plaintiff,

v.

VICTOR and ENOABASI UKPE.,

Defendants,

VICTOR and ENOABASI UKPE

Counterclaimants and Third Party Plaintiffs

Civil Action v.

BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS CWABS, INC. ASSET-BACKED CERTIFICATES, **SERIES 2005-AB3**,

> Defendant on the Second Amended Counterclaim,

and

AMERICA'S WHOLESALE LENDER; COUNTRYWIDE HOME LOANS, INC.; MORGAN FUNDING CORPORATION;

: Judge: Hon. Joseph H. Rodriguez, U.S.D.J

CIVIL ACTION NO.: 09-cv-1710

ROBERT CHILDERS; COUNTRYWIDE HOME LOANS SERVICING LP, PHELAN

HALLINAN & SCHMIEG, PC

:

Third Party Defendants on the Second Amended Third Party Complaint

TO: CHIEF JUDGE AND JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

PLEASE TAKE NOTICE that on May 18, 2009, at 9 o'clock in the forenoon or as soon thereafter as counsel may be heard, the undersigned, South Jersey Legal Services, Inc., Attorneys for Defendant(s)/Third Party Plaintiff(s), through counsel Abigail B. Sullivan, Esq., shall move before the United States District Court for the District of New Jersey, for an order remanding the Plaintiff's Complaint to the State Court pursuant to 28 U.S.C. §1441 (c).

PLEASE TAKE FURTHER NOTICE that in support of this application, Defendant(s), Third Party Plaintiff(s) shall rely upon the annexed Brief in Support of Defendant(s) Motion for Remand and Certification of Abigail B. Sullivan, Esquire.

PLEASE TAKE FURTHER NOTICE that an original and three (3) copies of the proposed order are attached hereto.

PLEASE TAKE FURTHER NOTICE that oral argument is requested in the event that opposition to this motion is filed.

South Jersey Legal Services, Inc. 745 Market Street Camden, New Jersey 08102 (856)964-2010 Ext. 6907

/s/Abigail B. Sullivan, Esquire
BY: Abigail B. Sullivan, Esquire
Attorney for Defendant/Third Party Plaintiff(s)

Dated: April 24, 2009

Of counsel:
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